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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,405	03/01/2005	Masaaki Hanaoka	MIPFP143	3093
25920 7590 12/18/2007 MARTINE PENILLA & GENCARELLA, LLP 710 LAKEWAY DRIVE SUITE 200 SUNNYVALE, CA 94085			EXAMINER MARTIN, LAURA E	
			ART UNIT 2853	PAPER NUMBER
			MAIL DATE 12/18/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/526,405

Applicant(s)

HANAOKA, MASAOKI

Examiner

Laura E. Martin

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-5, 15, 16, 18 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6-14, 17 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/1/07 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 5/30/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

Acknowledgement is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed on 3/1/05.

### ***Information Disclosure Statement***

Acknowledgement is made of the information disclosure statement (IDS) submitted on 5/30/06. The submission is in compliance with the provisions of 37 CFR 1.97.

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Election/Restrictions***

Applicant's election without traverse of claims 6-14, 17, and 20 in the reply filed on 10/29/07 is acknowledged.

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6-8, 10-12, 14, 17, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Naka (US 20020038222 A1).

**Naka discloses the following claim limitations:**

As per claims 6, 17, and 20: a cartridge (figure 1, element 19) having a storage element (figure 1, element 21) that stores a predetermined piece of cartridge information for identifying a delivery channel of the cartridge [0049], the printing device (figure 2, element 5) comprising: an information acquisition module (figure 2, element 15) that acquires the cartridge information from the storage element of the cartridge; and a screening module that approves or prohibits use of the printing device based on the acquired cartridge information (figure 9, elements S12, S13, S14) and [0058].

As per claim 7: the screening module approves the use of the printing device when the cartridge information represents a selected delivery channel [0066].

As per claim 8: the screening module prohibits the use of the printing device when the cartridge information does not represent a selected delivery channel [0058] and (figure 9, elements S12, S13, and S14).

As per claim 10: a cartridge having a storage element that stores a predetermined piece of cartridge information for identifying a delivery channel of the cartridge [0066].

As per claim 11: the storage element additionally stores a type of printing material [0030].

As per claim 12: the storage element additionally stores a remaining quantity of the printing material [0038].

As per claim 14: the storage element is a non-contact IC [0033].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Naka (US 20020038222 A1) in view of Nakajima (JP 2002-215368 A).

**Naka discloses the following claim limitations:**

As per claim 9: the printing device of claims 6-8.

**Naka does not disclose the following claim limitations:**

As per claim 9: an accounting information management module that manages a predetermined piece of accounting-related information which is used in a specified accounting procedure executed by a specific server to charge for the use of the printing device; and a communication module that sends the accounting-related information to a specific server.

**Nakajima discloses the following claim limitations:**

As per claim 9: an accounting information management module that manages a predetermined piece of accounting-related information which is used in a specified accounting procedure executed by a specific server to charge for the use of the printing

device; and a communication module that sends the accounting-related information to a specific server [0061]-[0063] and [0079].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the printing device taught by Naka with the disclosure of Nakajima in order to allow users to know an estimated cost prior to printing. It is well known to use accounting devices on public printers and packaged products in stores.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Naka (US 20020038222 A1) in view of Hanabusa et al. (US 6227642 B1).

**Naka discloses the following claim limitations:**

As per claim 13: the printing device of claims 6-8.

**Naka does not disclose the following claim limitations:**

As per claim 13: a remaining quantity measurement module that measures the remaining quantity of the printing material.

**Hanabusa et al. disclose the following claim limitations:**

As per claim 13: a remaining quantity measurement module that measures the remaining quantity of the printing material (column 8, lines 21-38).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the cartridge taught by Naka with the disclosure of Hanabusa et al. in order to provide a printer with the optimal printing process in accordance with the amount of ink. It is well known in the art to have cartridges with ink sensors.


**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Martin whose telephone number is (571) 272-2160. The examiner can normally be reached on Monday - Friday, 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Laura E. Martin

  
12/14/07  
MANISH S. SHAH  
PRIMARY EXAMINER